

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

ATTORNEY'S DOCKET NO.
X-10242

SERIAL NO.
09/209,799

FILING DATE
December 11, 1998

EXAMINER
F. T. Moezie

GROUP ART
UNIT
1653

IN RE APPLICATION OF
Donald N. Hermeling, et al.

RECEIVED

JUN 13 2001

THE ASSISTANT COMMISSIONER FOR PATENTS:

TECH CENTER 1600/2900


Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 9, 2001 of the Primary Examiner finally rejecting Claim(s) 33-40, 42, 75, and 76.

- () Notice of Appeal fee not required (fee paid in prior appeal of this application)
- (X) Notice of Appeal fee \$310.00
- () Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:
- () One month (\$110.00)
 - () Two months (\$390.00)
 - () Three months (\$890.00)

Please charge the fees indicated in the amount \$310.00 to Deposit Account No. 05-0840.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.

Two copies of this sheet are enclosed.


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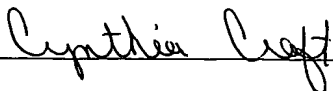
June 7, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below:

ELI LILLY AND COMPANY

By



Date

June 7, 2001